

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EASTMAN KODAK COMPANY,

Plaintiff,

v.

ALTEK CORPORATION,

Defendant.

Civil Action No. 12-cv-0246-DLC

**MEMORANDUM OF LAW IN SUPPORT OF MOTION TO  
WITHDRAW AS COUNSEL**

Pursuant to Civil Local Rule 1.4, Lisa T. Simpson, Michael F. Heafey, and Morvarid Metanat from the law firm of Orrick, Herrington & Sutcliffe LLP (collectively “Movants”) file this Memorandum in Support of their Motion for Leave to Withdraw as attorneys of record for Defendant Altek Corporation in the above-captioned matter.

There is good cause to grant this motion as Altek has obtained new counsel as set forth in the Declaration of Morvarid Metanat in Support of Motion to Withdraw (“Metanat Decl.”). This withdrawal will not materially affect the interests of Altek or interfere with these proceedings. *Id.*, ¶ 3. Altek will be represented by Matthew D. Powers, Paul T. Ehrlich, and Aaron M. Nathan of the Tensegrity Law Group, LLP, who have been admitted to appear *pro hac vice* on behalf of Altek in this action. Dkt. Nos. 113-114. Movants are not asserting a retaining or charging lien. *Id.*, ¶ 4.

Movants acknowledge that a stipulation signed by all parties and counsel is appropriate pursuant to the Local Civil Rule 1.4 Committee Note. Movants have requested that Kodak stipulate to the Movants’ withdrawal and substitution of counsel. *Id.*, ¶ 6. Kodak, however, refuses to stipulate, but has stated that it does not object to the substitution. *Id.*

In light of the foregoing, Movants respectfully request that the Court grant this motion in its entirety and order the withdrawal of Movants as attorneys of record for Altek. Altek also respectfully requests that Lisa T. Simpson, Michael F. Heafey, and Morvarid Metanat be removed from the Court's CM/ECF email notification list of this case.

Dated: Menlo Park, California  
April 30, 2013

ORRICK, HERRINGTON & SUTCLIFFE  
LLP

By: /s/ Morvarid Metanat  
Michael F. Heafey (admitted *pro hac vice*)  
Morvarid Metanat (admitted *pro hac vice*)  
1000 March Road  
Menlo Park, CA 94025-1021  
(650) 614-7400  
[mheafey@orrick.com](mailto:mheafey@orrick.com)  
[mmetanat@orrick.com](mailto:mmetanat@orrick.com)

Lisa T. Simpson  
51 W. 52<sup>nd</sup> Street  
New York, NY 10019-6142  
(212) 506-5000  
[lsimpson@orrick.com](mailto:lsimpson@orrick.com)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EASTMAN KODAK COMPANY,

Plaintiff,

v.

ALTEK CORPORATION,

Defendant.

Civil Action No. 12-cv-0246-DLC

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on April 30, 2013, I caused Defendant Altek Corporation's MEMORANDUM OF LAW IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL to be served on all attorneys of record through the Court's ECF system.

Dated: April 30, 2013

By: \_\_\_\_\_ /s/ *Morvarid Metanat*  
Morvarid Metanat